

**BEFORE THE BOARD OF ZONING ADJUSTMENT  
OF THE DISTRICT OF COLUMBIA**

Application of  
4101-4103 Davis L.L.C.

BZA Application No.  
ANC 3B03

**STATEMENT OF THE APPLICANT**

This application is made by 4101-4103 Davis L.L.C. (the “**Applicant**”) to the Board of Zoning Adjustment (the “**Board**”) for special exception approval to allow redevelopment of the property located at 4103 Davis Place, NW (Square 1708, Lot 21) (the “**Property**”). The Applicant requests approval pursuant to Subtitle U, Section 421 for a new residential development in the RA-1 zone to renovate the existing multifamily residential building and to increase the number of residential units from four (4) units to six (6) units (the “**Project**”).

**I. NATURE OF RELIEF SOUGHT**

Pursuant to Subtitle U, Section 421, the Board must grant special exception relief for the development of any new multi-family residential units in the RA-1 zone.

**II. JURISDICTION OF THE BOARD**

The Board has jurisdiction to grant the relief requested pursuant to Subtitle X, Section 900.2 of the Zoning Regulations.

**III. DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA**

The Property is located in the RA-1 zone in the Glover Park neighborhood of Northwest D.C. and consists of 3,261 square feet of land area. The Property is bounded by Davis Place NW to the south, a public alley to the west, a two-unit residential building to the east, and a small multifamily residential building to the north. Approximately 250 feet to the west of the Property is Glover Archbold Park. The surrounding area is predominantly residential in character and is characterized primarily by multifamily residential buildings ranging in size from smaller four (4)-unit buildings to larger high-rises. Nearby to the east of the Property is the Wisconsin Avenue

commercial corridor, including various retail, restaurant, and other neighborhood-serving commercial uses. Across Wisconsin Avenue to the east is the Guy Mason Recreation Center, the Guy Mason Dog Park, and Glover Park Kindercare.

The immediate neighborhood consists of a number of apartment buildings. Stoddert Elementary School and Stoddert Recreation Center are located southeast of the Property. The D2 Metrobus line runs directly to the east of the Property along 41<sup>st</sup> Street NW.

The Property is currently improved with a two-story multifamily building consisting of four (4) residential units. The existing building was constructed in 1938, prior to the adoption of the Zoning Regulations, and is nonconforming with respect to: FAR (maximum 0.9 FAR permitted, 1.05 FAR existing); lot occupancy (maximum 40% permitted, 52% existing); rear yard (minimum 20 feet required, nine (9) feet, eight (8) inches existing); and side yard (minimum eight (8) feet required, seven (7) feet existing).

#### **IV. PROPOSED PROJECT**

The Applicant proposes to renovate the existing four (4) unit residential building to add two (2) new units, resulting in a total six (6) units, as shown on Exhibit [ ]. The Project will renovate the existing cellar to provide two new units and will include an ancillary penthouse to support rooftop decks for the two second-story units. The Project provides three outdoor patios on the first floor in addition to the two private terraces at the penthouse level. The Project will not enlarge or expand the existing building, aside from the small ancillary penthouse addition. The existing building height of 24 feet, 3 ½ inches will be maintained, well within the maximum 40 feet permitted in the RA-1 zone. No parking is required for the Project, and no parking is proposed.<sup>1</sup>

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<sup>1</sup> Pursuant to prior determinations by the Office of the Zoning Administrator, the existing building is entitled to four (4) parking credits based on the four (4) parking spaces that would have been required for the existing building

**V. THE APPLICATION SATISFIES THE CRITERIA FOR THE REQUESTED RELIEF**

Pursuant to Subtitle U, Section 421, new residential development in the RA-1 zone is reviewed as a special exception and subject to certain criteria. For the reasons set forth below, the Project satisfies the special exception standards.

1. The Area Schools Can Accommodate the Number of Students Expected to Reside in the Project (Subtitle U § 421.2(a)).

The Property is in-boundary for Stoddert Elementary School, Hardy Middle School, and Wilson High School. Because the Project will include only two (2) additional residential units, any potential impact on the population of the in-boundary schools will be minimal. The application will be forwarded to the District of Columbia State Board of Education (“SBOE”) and the Applicant will address any comments raised by SBOE prior to the public hearing.

2. The Public Streets, Recreation, and Other Services Are Adequate to Accommodate the Residents of the Project (Subtitle U § 421.2(b)).

The public streets, recreation facilities, and other services are more than adequate to accommodate the two new units proposed as part of the Project. The additional units are minimal and the adjacent area, which includes the Stoddert Recreation Center and Glover Archbold Park, offers ample room to accommodate the new residents. As noted above, the Project is not required to provide any additional parking. The surrounding neighborhood provides numerous services within walking distance of the Property. Davis Place, NW and, to the east, 41<sup>st</sup> Street, NW both offer street parking on both sides of the street. The nearby services, recreation centers, and street parking should more than accommodate the small number of additional residents that may occupy the two new residential units.

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(one (1) space per unit) under Section 2101 of the 1958 Zoning Regulations. The Project, with six (6) units, would require one (1) parking space under the current Zoning Regulations and thus, based on the existing parking credits, is not required to provide any parking.

The application will be forwarded to the District Department of Transportation (“**DDOT**”) and the Department of Housing and Community Development (“**DHCD**”), and the Applicant will address any issues raised by DDOT or DHCD prior to the public hearing in this case.

3. The Site Plan, Arrangement of Buildings, and Provisions of Light, Air, Parking, Recreation, Landscaping, and Grading Are Appropriate (Subtitle U § 421.3).

The scale of the Project is modest, with no increase in the height of the existing building and only a small ancillary penthouse added to support rooftop terraces for two of the units. The penthouse addition meets all required setbacks and the impact on the light of surrounding properties, if any, will be minimal. The Project incorporates a number of open areas for residents to enjoy, including first floor patios and rooftop recreation areas, maximizing the accessibility of light and air. The addition of two units does not trigger parking requirements and the Applicant does not propose to add any parking.

The grade of the Property is higher than sidewalk level and an existing retaining wall encloses the sides of the Property along Davis Place NW and the public alley abutting the Property to the west, appropriately managing the substantial grade change. The existing building is attached to the adjacent building to the east, as is common for other small multifamily buildings in the area, and is consistent in size and shape with the surrounding properties in the neighborhood.

This application will be forwarded to the Office of Planning (“OP”), and the Applicant will address any issues raised by OP prior to the public hearing in this case.

4. The Requested Relief Will Be in Harmony with the General Purpose and Intent of the Zoning Regulations and Zoning Maps and Will Not Tend to Affect Adversely the Use of Neighboring Property (Subtitle X § 901.2).

The Project satisfies the standards set forth in Subtitle U, Section 421, and therefore the requested relief is in harmony with the general purpose and intent of the Zoning Regulations. In

addition, the Project will contribute to the area housing supply, furthering the Mayor's goal to address the housing shortage in the District.

Further, the Project will not tend to adversely affect the use of neighboring properties. The Project will not increase the height of the existing building nor is any addition or expansion proposed. Maintaining the existing building envelope, with only a modest ancillary penthouse addition, will help to ensure that adequate light and air continues to be available to the Property itself as well as adjacent properties.

## **VI. CONCLUSION**

For all of the above reasons, the Applicant has satisfied the standards for the requested special exception in this case and respectfully requests approval for such special exception relief.

Respectfully submitted,

/s/ Lawrence Ferris

/s/ Lee Sheehan